

1879
(L.R.)

File No. 14
Serial No. 1-7

Sub.— Kan Assessment of Ibalur
Inag, Kaval durga
Taluk, Shimoga District

G. R. S. IX-5]

Previous references.

1877-80

191 .

File No. 14

Serial Nos. 1-7

Later references.

(L. R.)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 7.

In. Part B for

SUBJECT.

Kan Assessment of talukar jagri.
Kavledurga taluk, Shimoga Dist.

Indexed

Kirga Nagar Hussain

Kans in the Koppa taluk

With his Settlement report of the Koppa taluk the Survey Supt submits a separate letter N^o 27 ^{x with the file} of 10 Jan'y 1979 on the settlement of Kans in that taluk.

2 This question assumes a special importance, in it is involved the possibility of extending coffee cultivation in Koppa, a taluk where the prospects of coffee are brightest. The Govt of India have prohibited the cultivation of coffee in Kans, and a general order to this effect (1st of Jan'y 79) has issued in consequence. But it is evident that in doing this Govt had in view the Kans of Solat; detached patches of evergreen jungle which act admirably as reservoirs and regulate the water supply to paddy or garden cultivation below preserving humidity in the soil throughout the hot weather in places where out for them springs would universally run dry. There can be no question of the advisability of preserving such Kans intact.

3 In Koppa the case is very different almost the whole surface of the land, on the east side, where are already cleared, is Kans

V

Kans are not only sholas in the ravines as in the west of the Taluk, or detached patches on the flat as in Soab, but they clothe the sides and very tops of the hills, and almost all the Forest patches of the nature of a Kan. Anal. State prohibition to give land for coffee if it is 'Kan' will act almost entirely to the prevention of further spread of cultivation of coffee. Present and intending Planters are certain I should think to represent this and urge a relaxation of this hard-and-fast rule: and this is the best opportunity for considering the question comprehensively.

* First as to the effect of cutting a Kan. The roots of the jungle retain the moisture which has fallen in rain, a heavy fall of rain does not flood the streams flowing from a Kan to the same extent as those running off a bare surface. The moisture is held back and regulated the ground remains moist long after the rainy season has ceased, and indeed all

H. 1

through the dry weather and the streams running out of Kaus are perennial; but much of the moisture is also absorbed by the trees and jungle in the Kaus, the first result of clearing this jungle is to set free this moisture and springs increase.

To give an instance I am assured that in the Daula Billo Estate near Kippa, there were no springs when the jungle was taken up, the Planter went to considerable expense in damming a small river skirting the lower boundary in order to get irrigation for his nursery, the ancient was a failure and breached, but after the jungle was cut it was found to be unnecessary; and good springs burst forth and by making little Kauties across the streams flowing from them ample water supply was obtained. To cut all jungle without damming back the streams that would flow would assuredly result in the rain, to a great extent.

4
running off the face of the earth as
it fell and the perennial moisture
being lost, causing inevitable ruin
to the supari gardens, but to clear
patches in the jungle, retain the water
for irrigation of nurseries during the
hot weather and reclothe the bare soil
with coffee cannot have the same
effect there must therefore be a pro-
portionate area of kán in koppa
which can be safely cultivated
with coffee, that is without depreciating
the general humidity of the earth
or lessening the flow of water to supari
gardens. What this proportionate area
is I do not pretend to say, I believe
no general rule could be laid down
but that it would vary greatly in
different instances. And naturally it
would vary greatly with successful
or unsuccessful cultivation of coffee
in the cleared patches. However I
believe it would be against the
true

5

true interests of the country to pro-
hibit absolutely the extension of
Coffee in Kams in the Koppa taluk.

5. The circumstances of the Koppa Kams
being different from those of the Kams in
Karnad talukas already settled, the
terms in which they are settled will
differ. Practically the whole forest of the
taluk is "held on Kam shist" the Kots
pay a trifling sum called Kam
shist for the right to collect minor
forest produce in the jungles of their
village. and as this Kam shist covers
all jungles, and not defined &
well marked patches, their right dif-
fers from that held with in in-
cluding fire-wood and leaves for their
gardens and fields as well as for the
Kams themselves.

6. On the strength of this payment, they
claim not only the right it was undoubt-
edly meant to give, but also a proprietary
right in the soil itself. Until coffee culti-
vation

6/
begun it was never worth while
to dispute this claim, there was
most probably never any
occasion to assert it, and in
the cases of Lorab and other taluks
already settled where preservation
of the jungle was the one point aimed
at and the desirability of ever
resuming the káns for any other
reason than their being injured was
not before the Govt, this question has
not been touched in the settlement.

Probably in those cases too the occupant
would make the same claim, in
fact I remember an instance in Nagar
where the 'wargdar' claimed compensa-
tion for a road being made through
his kán.

There can be no doubt I think
that Govt has the right to resume a
kán for which hist is paid and as
it is possible that in cases it may
be inexpedient to do so it would be
well

will to declare the right in the notification setting the Kams (perhaps it would be prudent to insert the same ~~note~~ declaration in the notification passed a few days ago relating to Mainad Kams generally.)

8 I think it would be expedient to notify also that the right to firewood is independent of payment of Kam. Those Ryots in other Mainad taluks are given this right without paying for Kams. They also enjoy right to cut leaves for garden and rice fields in jungles set Kam without payment and that who accrue in Koppa by operation of the Forest rules without notification in all jungles separated from the Kam settlement.

9 So long as the absolute prohibition to grow coffee in Kams exists it is perhaps unnecessary to pass specific orders in para 14 of Survey Dept's letter. Lands paying Kam may be continued in the terms above, and at

8
the rates proposed in draft para 15.
(about 1 anna an acre) jingles re-
signed should not again be given out
on annual payment. It will be
optimal to accustom the right to
minor forest produce yearly or to
collect in a season. The strips of jungle
round gardens (para 19) it is very
necessary to preserve though it is
not so easy to say how wide it should
be. The Survey Comt. proposes 20 yds
which ought to be enough and its
reservation can be put in the hands
of the garden cultivators themselves by
shewing it "oppin betta"

M.
13/4.

Forward the info for school
in continuation of memo no 5776
of 15 Dec. 1879 -

1879.80.

9

Intimate the above to the
Petitioner

Section L R
File No 14-79
Serial No 1

No. 2392.

2098

Name of Petitioner. Thimmam

& the other Ryots of

Village. Malloor.

Taluk. Korleng.

District. Shimoga.

Date of Arzi. 13. Oct 79

Date of Receipt. 18. do.

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

State that they addressed
three petitions to the Chief Commissioner
regarding land the encroachment
imposed on the "Kor." (Bhoomi)
lands by the Survey Department
might be remitted, but no action
was made. The Taluk
authorities have been disgracing
the Govt by attacking their properties
for the above encroachment. They
addressed the Dy Commr. & the
other authorities on the subject
but in vain. Beg that orders
may be issued to the Survey Dept.

No 2342.

ENDORSEMENT.

Agri L. R. ¹⁰

2

In reply to his Petition, dated 12 October 1879

Thammanna & other ryots of localities
of Kodlur Taluk. Shingoga Dist. are
their above petition has been forwarded
to the Government of the Shingoga District
~~is continuation of their former petition~~

"By Order,"

MYSORE CHIEF COMMISSIONER'S OFFICE,
DAFTAR DEPARTMENT,

Date 8th - 4 - 1879

21.

TS
For Revenue Secretary.

Section. Agui L R

File No. 14-79

Serial 2

10

Section L.R.
File No 14-79
3
The Commissioner
Shenogal St

19
12-79

No. 4776
2586

Forwards for disposal
the within specified
five petitions from the
Vols of the Shenogal
District.

APR 4776
P586

Memorandum

L. R.
14-74
B

re: -

The accompanying petition received at the Chief Court office from the agents of the Shimoga District are forwarded together with their enclosure for disposal -

No.	Names.	No. of encl.
2098	Pannamath porters of Jannagalla of the Kuvindur Sahas	
2161	Pannamath of Balamannakone of the Sagar Sahas	
2162	Pannamath of Gidagallu Magui of the Sagar Sahas	
2165	Harada Rohatta of the Gidagallu Magui of the Sagar Sahas	
2358	Gangannath porters of Koonai grain of the Koonali Sahas	

By Order

17/12/74

For Pet. Secretary

No. 430
P. 42

Mysore Chief Commissioner's Office.

Official Memorandum

L. R.
14-79
4

The accompanying Petition No. 2392, dated 15 October 79 received at
the Chief Commissioner's Office from Shrimannarayana son of
Madanna of the Kowle taluk of the Shimoga
District is forwarded, together with its enclosures to the Commissioner
of the Shimoga District in continuation of Mysore
No. 4736 of 17 December 1879
5-86

BANGALORE,

"By-Order,"

21st
57. 1879.

For Revenue Secretary.

The Secretary - Commission
Hawaii
Dated 21 April
1892

No 430
C. L. 2

72

Rev. 761

1880.

26.

From

The Deputy Commissioner
Shimoga District.

To

Secretary to Chief Commissioner,
Revenue General Department.

B. Bangalore

Dated

30th April 1880

Despatched

5th May 1880.

Received

Enclosures No. One (one paper).

General No.

No. 27

188-8.

Serial No. 1

* Consisting of 5 or 6 papers with
perist and 2 or 3 north-brooks -
sent to Survey Dept. vide
No. 4577 of 25th Nov/80 -
R. 847

These papers are to be
sent to the other papers
(the subject)

What is the result?

11/11/81

Subj. to the necessity, in
making the plan of the
survey of the Chavand
to land.

10.5.80

It is a fact that
subject to the plan of
survey in the
subdivision that
the survey is to be

The Survey cannot be
28/1/79 regarding the
Malabar Estate was
to be sent to the
1875.

13.5.80

to the return
of the

P. 57

15
Deputy Commissioner Office
Shingla District.

Camp Mandagaddi April 1883.

To
Hon. L. R. Ho
No. 14-79
and No. 6

Secretary to the
Chief Commissioner
Revenue Department.

Sir,

Referring to your official memorandum
No. 4770 dated 1-11-82 re-
P. 580 - Revenue, 1879. as per margin forwarding for disposal
two petitions from the reports of the Taluk
Magani, Kavarand, Taluk, I have
No. 460 dated 2/11/82 official
42 1883. the honor to submit the following report
Petitions herewith re- for the orders of the Chief Commissioner.
- Submitted -

2 In connection with the Survey &
Settlement, the limits of the Taluk had
also to be assessed. The limits broken
do not appear to have been separately
delineated, but were included in
large block numbers embracing hills,
scrub, and other kinds of jungle, &c. The
Taluk officials were required by the
Survey Department to denote against
each of such jungle numbers the
proportions in annas (16 annas being
as usual the maximum) of (Gajra and
Bungar) cultivated and waste. The

Taluk.

Officials were of course unable to make any measurement; but taking for their guide a return of *kans* prepared in 1865-66, delegated the work of distinguishing the cultivated from the uncultivated portions of the jungle *man* to the *Shan* *ho*. Hee later accordingly drew up a statement, which was adopted by the Survey Department, and an assessment of an *anna* per *are* charged on the proportionate area estimated as cultivated.

3. His *modus operandi* seems to have in all the *magams* of the *Salak* *mag* *let* one, resulted in a settlement against which I have not heard many complaints in my present tour through nearly all of them. In the *Malik* *magam*, however, the *Shan* *ho* seem to have overshot their object of securing extra possessions to the *ryots*. *Brake* *jungle*, and forest glades, &c., which never by any stretch of the imagination, could be converted into a *kam*, have been brought — within

12

the cultivated area, and the Kan assessment is stated to have thereby been swollen out of all just proportions. As the Salt authorities insisted on the return of 1866 being closely followed, and as the thanahs had an undefined fear of the consequences of departing from it, the assessable Kan area has been enormously magnified. The result is that against the old Kan list of Pukkee 193-14-7 the Survey assessment on the Kans amounts to Pukkee 237 for the single magani.

4. Whilst in the Saltah, I took the opportunity of testing by a few inspections the truth of the complaints made to me by the ryots of Malin in large numbers, and I must say though with much diffidence that there is a strong feeling among the people that their Kan assessment has been unjustly raised, and that it is not altogether informed.

5. Another item of complaint similarly deserving of consideration is that in the said magani, the lands and jungles at first marked as free grazing, &c., at the Survey settlement were subsequently charged with

assessment, and when the Amildar brought the matter to the notice of the Superintendent, on the representations of the ryots, he issued an order to the effect that as the said numbers were paying the old Chit assessment, they could not be exempted.

6. It may be permitted to me to remark here on this point, that the old Kan numbers, for which Chit was being paid, were not co-extensive with the present Survey Kan numbers, and that the return of 1866 is unreliable. The grant of free grazing to villages is a universal rule, and the exemption from assessment of the waste portions of the Survey Kan numbers does not in my humble opinion — justify a departure from the recognized rule.

7. The Kan settlement of the Taluk was introduced very late in the official year 1878-79; and soon after the close of the Chit, the demand for the payment of the Kan assessment became very urgent. The Amildar perceived the error that was committed, and informed me of it, and also stated.

stated that he had made a report on the subject to the Survey Superintendent. Moreover I received several petitions from the Malis Kan-holders. The Survey Department also required the Amildar to ascertain if jungles which were not Kans were assessed as such. I directed therefore that pending the disposal of the reference by the Survey Department, the extra assessment should not be collected. Subsequently I received from you for disposal the pt of the petitions under report.

In view to the correct bearings of the question being accurately brought to notice, the Amildar had prepared and submitted to the Superintendent a revised Kan return for the Malis Magani, showing the approximate extent of the actual Kans (Shan) incorporated in the Survey numbers. It was further tested by the Peshkar, Gumastas and other officials, unconnected with the Shanishops, who had lately been nominated by me for selling reserved trees in occupied lands, under the Chief Commissioner's order

No 515-8 dated 20th January 1898. The return
shows that the Kan area for which
assessment is due is only about
335 acres, on which an acreage
of one anna (i.e. the rate adopted
by the Department) will amount
to Rupees 214 - 12 - 0 or Rs 222-4-0 less
than the assessment now required
to be paid. The Superintendent
however declined to re-open the
question once settled. Vide his
order No 730 dated 29th March 1898 to
the Amildar.

9 As I have no voice in the Survey
and Settlement operations, I should
not have ventured to critically enter
into these details, but that your
official Memoranda under reply
leave me no alternative, and that
the ryots have made to me nearly
en masse a very earnest representation
to urge on the consideration of the
Chief Commissioner the necessity for
revising the Kan assessment of
this magani. I am free to confess
that the subsequent return is not
less unreasonable than the one on

Rs 335. was at 1 anna = Rs 209-1-0.
est. B. The difference of Rs 5-5-0 consists of the fractions
of an acre eliminated in each case.

which the settlement was made, as
it was subjected to a test, such as
it was by unconnected and
responsible Taluk officials, which
was not the case with the first one.

The accompanying comparative state-
ment specifying the Kan settlement
in the Taluk shows that whilst the
increase in the other Maganias was
comparatively small, the case of the
Maler Magania is exceptional, and
the large increase of Pukka 1243-1-5.
is explanatory of the general com-
plaint made by the ryots thereof
against the settlement.

10 For these reasons, I beg leave
respectfully to recommend that,
if the separation into integral numbers
of bona fide Kanas is at present
out of the question, their settlement
may be revised in accordance with
the amended Return attached to.

11. The original Returns and vernacu-
lar correspondence quoted above
are submitted for further
reference, and it is requested

that they¹ may be returned when
no longer required.

I have the honor to be

Sir,

Your most obedient servant.

W^m Macdonald
Deputy Commissioner
Livingston District.

Comparative statement showing the results of the two estimates

No.	Village	Land Revenue			Old Revenue		New Revenue		Total	Increase	Decrease
1	Praga	7116	1	1	8	38	4	8			
2	Mudiyapuram	1950	1	3	28	7	30	8			
3	Sadu	2018	3	9		52	1	12			
4	Agarwal	2365	1	6	122	4	140				
5	Agarwal	1988	1	3	83	4	439	4			
6	Devarvala	7550	12	3	21	6	62	12			
7	Agarwal	3613	1	11	3	25	6	8			
8	Kalin Nagar	2542	5	8	55	12	98	12			
9	Mudiyapuram	6682	4	3	79	5	83				
10	Devarvala	20627	1	13	39	113	71	12			
11	Kundhar	16847	10	8	168	4	237	8			
12	Bharanapur	7365	3	3	45	67	231	12			
13	Kuruli	3153	8		21	10	133	12			
14	Chithur	3613	13	2	22	5	58				
15	Simam	6520	9	5	22	133	29				
16	Huneha	5212	4				39	12			
17	Malhi	17629	9	7	193	47	1237				
Total		173053	11	6	912	123	2995	8			

Chinnaga District
 Dy. Commr's Office
 Chinnaga 6 May
 1880

in the Kavaritunga Panchayat

Amount as per survey settlement

Debet
Korps Com. Belangement
in Sirkar in Panchayat
Jemabandi

Remark

2	..	..	..	..	2	8	..
8	8	..	..	..	62	..	..
..	..	..	..	..	1	12	..
..	12	..	..	..	139	4	..
90	12	..	27	4	77	4	..
..	..	..	..	..	62	2	..
..	..	..	..	..	6	8	..
..	..	..	..	..	98	12	..
..	..	..	10	..	73	..	..
23	12	..	..	..	48	..	..
57	8	..	..	..	230	..	..
144	4	..	54	8	33	..	..
..	..	..	122	8	11	4	..
14	8	..	..	..	43	8	..
14	4	..	..	..	14	12	..
..	..	..	..	..	39	12	..
..	..	..	..	..	1237	..	..
556	4	..	758	4	213	..	..

M. Narasimhaiah

Secretary Panchayat
Kavaritunga Panchayat

At

From

Section	L. R.
File No.	14-77
Serial	6

To the Superintendent
Mysore Revenue Survey

Dated 20 May

Despatched —

Received

Enclosures No. 1 ^{Letter} _{1 stat.}General No. 950
P. No. 96

Forwarding for ~~the~~ what
letter from Mr. Com. & Mysore
reopening the revision of the
Kann assessment of the Ka-
valudurga Taluk.

L.R

25

14-79

6

Read:—

Letter from the Dy.
Commissioner of the
Shimoga District, No.
59 of the 30th April 1880.

Order thereon.

The above letter,
reporting on the assess-
ment of the ^{of 3} Kanich
a large area of
~~on the Kanich~~
~~of the Kanich~~ Kanich
jungle and forest lands,
not being Kanich in
occupation, in the
Mains Magam of the
Kavalbarga Taluk, is
forwarded to the Survey
Commissioner for the
expression of his views
on the subject. As
Kanich are allowed to
be relinquished, there

No 700 of 20 May 1880
P. 90

Not returned.

Pl.

13/5

26

maybe no difficulty
in allowing the Pattadars
to retain only the smaller
areas which they
acknowledge to be Kan
in their occupation;
but the Kan lands
proper, ~~which~~ it will
be seen, are stated not
to have been separately
demarcated and numbered,
but to have been included
in the adjoining jungle,
so that their ~~actual~~
boundaries and position
cannot be identified

Kan lands
to be
Kans

26

H
Respectly,
To the Supdt. of Revenue,
D. the Dy. Commr

4-6-80
 Proceedings of the Chief Commissioners of Mysore.

Revenue Department

Order Read:-

14-79 Letter from the Deputy
 Commissioner of the Shimoga
 District, No. 110, of the 30th April 1880.

Order Thereon No. 200 dated Bangalore 25 May 1880.
 P 93

*
 to be returned

of?

The above letter, reporting
 on the assessment of the Kanthi
 of a large area of scrub jungle
 and forest lands, not being Kan in
 occupation, in the Chalur Baram
 of the Kuvledurga Taluk is
 forwarded to the Survey Superin-
 tendant for the expression of
 his views on the subject - As
 Kams are allowed to be relinquished,
 there may be no difficulty in
 allowing the Pattadars to retain
 only the smaller areas which they
 acknowledge to be Kan in their
 occupation, but the Kan lands
 proper, it will be seen, are
 stated not to have been in

Separately demarcated and
numbered, but to have been
included in the adjoining jungle,
so that their boundaries and
position cannot be identified

Respectfully
Perman. Harvey.

No.
The Superintendent of
Perman Harvey.

~~7th~~

To Mr. J. H. ...
From ...

Secretary to Chief Commissioner,
Public General Department.

7

Despatched

Received

ENCLOSURES NO.

General No. 496 } 187 - 57.
No.

Admitted



Submits the opinion
called for in letter
to James Brooks of \$250
dated the 20th of Nov 1880
on the agreement of the
Kana in the Native
Chagné of the Kana Colony
Tahiti.

7.6.87

The Commission is not
 in a position to report
 on the subject of the
 proposed amendment to
 the Constitution of the
 United States, which
 would be to amend the
 Constitution so as to
 give the President the
 power to remove and
 appoint judges of the
 Supreme Court, and
 judges of the inferior
 courts, without the
 advice and consent of
 the Senate.

9-68

by the ~~Chief~~ Commissioner, for
I was naturally expected that
if the first return erred in one
extreme, the amended return
might be in the other. I have
ever now agree with the Deputy
Commissioner that as a mistake
has really been made in the
Amended, the amended return,
which moreover seems to have
been prepared by more trust-
worthy agency and under better
supervision, should be adopted.
At first, the revision of the
agreement of these so called Plans
is one of the most unsatisfactory
and uncertain operations which
devolves upon the Survey Depart-
ment for a division of them
into separate numbers, even
if possible, would entail for
too much cost and expense with-
out any special object or ad-
vantage

= locate, return ³⁰ on the place
about nine were the kind
sufficiently defined and im-
portant, to warrant their
being separately demarcated.

3 The undoubted character
of the almost untended Kan
under discussion renders it al-
most impossible to identify them
from other jungles and ~~the~~ ^{the} tenure
on which they are held it, I have
reason to believe, more communal
than confined to the individual
in whose name the Kan is received.
Indeed, things are more valued for
the good manner than offered than
for the products generally as-
cribed to bona fide Kana. These
facts were recognized by the
Off. Superintendent at Suva Major
Anderson, at the time of settle-
ment of the Kamalunga tract,
and consequently orders were
issued for a return of the area
of Kan in each Survey District.

In receipt of the Cash
Commissions

Commissioners Order³⁸ shall be
ready to receive fresh statements
of the Kan assessment in the
Gulab Bagni based on the
amended return furnished by
the Amildar. In round numbers
the decrease in the revenue
by the amended settlement
will be Rs 1,000. ~

I have the honor to be
Sir,
Your most obed^t servant

A. Grant
Subintendent of Revenue
Jumna